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Publications

Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Getting Involved!

The Public Hearing Process



Canada 



A GUIDE TO PUBLIC HEARINGS

Nuclear safety is everyone's business. Every day, millions of Canadians use nuclear energy, though we may not always be aware of how it contributes to our lives.

The Canadian Nuclear Safety Commission (CNSC) regulates the use of nuclear energy and materials to protect health, safety, security and the environment and to respect Canada's international commitments on the peaceful use of nuclear energy. Created in 1946 as the Atomic Energy Control Board, the agency changed its name in 2000 with the enactment of the *Nuclear Safety and Control Act* (NSCA).

As part of its regulatory role, the CNSC considers licence applications for nuclear facilities. Through a public hearing process, citizens are encouraged to participate in licensing hearings for major nuclear facilities (e.g., power reactors, uranium mines and mills, waste facilities, research and production facilities) to ensure our regulatory system reflects the diverse needs and concerns of Canadians.

The Canadian Nuclear Safety Commission is committed to being open and transparent. The public hearing process is part of that commitment. As Canadian citizens, you have an opportunity to participate in decisions that affect you — you can be heard.

Canadian Nuclear
Safety Commission



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ABOUT THE COMMISSION

The CNSC is an independent federal government agency that reports to Parliament through the Minister of Natural Resources Canada. It is comprised of two components: the Commission and the CNSC staff. The 'Commission' refers to the agency's tribunal component and the 'CNSC' refers to the organization and its staff in general.

The Commission is an independent administrative tribunal that makes legally binding decisions, much like a court. The Commission's key roles are to: establish regulatory policy on matters relating to health, safety, security and the environment; make legally binding regulations; and make licensing decisions based on statutory requirements and written or oral submissions made at public hearings by licence applicants, CNSC staff and interested persons.

The Commission can consist of up to seven members who are appointed by the Governor in Council. The President is a full-time member and currently, the other members are appointed on a part-time basis.

The Commission Secretariat supports the tribunal by planning Commission business and offering technical and administrative support to the President and other Commission members.

The Commission administers the NSCA and a series of regulations which complete the NSCA. Among these regulations are the *CNSC Rules of Procedure*, which outline the public hearings process, and the *CNSC By-laws*, which outline the Commission's meeting process. You can learn more about the CNSC, the Commission and the laws and regulations governing nuclear materials on our Web site at www.nuclearsafety.gc.ca.



The CNSC staff organization manages the daily operations of the CNSC. In the context of public hearings, CNSC staff prepares recommendations on licensing applications, submits them to the Commission for consideration during public hearings and subsequently, executes the decisions made by the Commission, including the issuance of licences, periodic reporting on performance and compliance activities. Staff also makes licensing decisions that have been delegated to it by the Commission.

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THE PUBLIC HEARING PROCESS

The Commission makes decisions generally through a two-day hearing process over a ninety-day period. However, the Commission can decide that a one-day hearing is sufficient.

- **First Hearing Day:** The licence applicant and CNSC staff present written and oral submissions to the Commission. Written interventions are submitted at least 30 days prior to Hearing Day 1. Commission Members, as well as members of the public, have access to submissions, referred to as Commission Member Documents (CMDs), and have an opportunity to review the information prior to the hearing. Commission Members pose questions to the applicant and CNSC staff during the hearing.

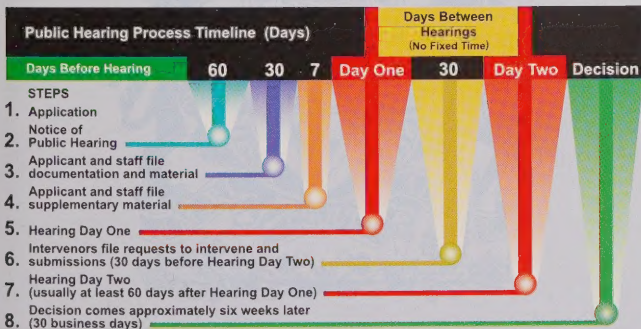


- Second Hearing Day:** Interested persons (intervenor), who have previously notified the CNSC that they would like their views formally heard, present their written or oral submissions before the Commission. All relevant submissions are taken into account in the decision. Following the second hearing day, the Commission Members will typically deliberate and render a Record of Proceedings, including Reasons for Decision, within six weeks after the close of the hearing.

Public hearings follow the *CNSC Rules of Procedure*, under the NSCA. Public hearing matters are announced 60 days prior to appearing before the Commission. The notice of public hearing is posted on the CNSC Web site and is publicized in the area surrounding the facility. The notice announces the hearing's purpose, date, time, location and any deadlines for filing documents prior to hearings.

Hearing documentation such as notices, agendas, transcripts of the proceedings, news releases and Records of Decisions can be found on the CNSC Web site at www.nuclearsafety.gc.ca.

Public Hearing Process Timeline





PUBLIC PARTICIPATION – IT’S YOUR OPPORTUNITY!

Public hearings are set up so that the Commission can hear from interested persons (intervenor). The concerns and opinions of those who have an interest in Commission licensing decisions are key to the decision-making process, which is why Commission hearings provide the public an opportunity to be heard. Members of the public are welcome to observe hearings, and are also encouraged to participate orally or in writing in the official language of their choice.

To participate in writing or orally, certain procedures must be followed. Anyone wishing to be heard on a particular matter must first file a request to intervene as well as a written submission with the Secretariat by the published deadline.

A request to intervene must include the following information:

- a description of how the intervenor has an interest and/or expertise in the matter being heard;
- a statement describing the manner in which the person wishes to intervene (i.e. in writing and/or orally); and
- any relevant information or material the person wants the Commission to consider.





Organizations or interested members of the public who wish to intervene should contact:

Manager, Commission Communications
Commission Secretariat
Canadian Nuclear Safety Commission
280 Slater Street
P.O. Box 1046, Station B
Ottawa, ON
K1P 5S9
CANADA

Telephone: (613) 995-0360 or
1 (800) 668 5284 (in Canada)
Fax: (613) 995-5086
E-mail: interventions@cnscccsn.gc.ca

For more information contact us:

Canadian Nuclear Safety Commission
280 Slater Street
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Telephone: (613) 995-5894 or
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